

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KHARIDJA N.,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting
Commissioner of the Social Security
Administration,

Defendant.

4:21CV3139

**MEMORANDUM
AND ORDER**

This case was dismissed without prejudice for lack of subject-matter jurisdiction on December 6, 2021 (Filing 24), and judgment was entered accordingly. (Filing 25.) On December 13, 2021, Plaintiff filed an unintelligible letter (Filing 26) which does not seem to make any requests of the court. However, out of an abundance of caution, the court will characterize Plaintiff's letter as a motion under Fed. R. Civ. P. 59(e) (motion to alter or amend judgment) or 60(b) (motion for relief from judgment).

Rule 59(e) motions serve the limited function of correcting manifest errors of law or fact or to present newly discovered evidence. *United States v. Metro. St. Louis Sewer Dist.*, 440 F.3d 930, 933 (8th Cir. 2006). Rule 60(b) provides that a judgment may be set aside, inter alia, for "mistake, inadvertence, surprise, or excusable neglect" or for "any other reason that justifies relief." Fed. R. Civ. P. 60(b)(1),(6). Because Plaintiff has failed to show entitlement to relief under either rule, Plaintiff's motion will be denied.

IT IS ORDERED:

1. Plaintiff's letter (Filing 26), construed as a Motion to Alter or Amend Judgment under Fed. R. Civ. P. 59(e) or a Motion for Relief from Judgment under Fed. R. Civ. P. 60(b), is denied;

2. The Clerk of Court shall ensure that Plaintiff's letter (Filing 26) is filed as "restricted," as it appears to contain her Social Security number.

DATED this 21st day of December, 2021.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge